

PATENT *✓*
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENTEE: Lori Lisa Carrigan
PATENT NO: 5,981,854
ISSUED: November 9, 1999
TITLE: HYBRID MAIZE PLANT AND SEED 36A43

Grp./A.U. : 1638
Examiner : Benzion, G.
Docket No. : P03390US0

**REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO AND APPLICANT MISTAKE**

Decision and Certificate of Correction
Branch of the Patent Issue Division
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

It is respectfully requested that a Certificate of Correction be issued for the above-identified patent in accordance with 37 C.F.R. § 1.322(a) and 37 C.F.R. § 1.323. This request is made in order to correct errors made by the PTO and to correct the mistakes of a clerical or typographical nature or of minor character that occurred in good faith by the Applicant. The mistakes appearing in the patent are set forth on the Certificate of Correction, Form PTO/SB/44, enclosed herewith, with an additional copy thereof. A duplicate of this request is enclosed.

1. Attached in duplicate, is PTO/SB/44, with at least one copy being suitable for printing.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this document and the documents referred to as enclosed therein are being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Decision and Certificate of Correction Branch of the Patent Issue Division and Assistant Commissioner for Patents, Washington, D.C. 20231, this *16* of *October*, 2001.

[Signature]
Heidi S. Nebel

2. PTO errors are as follows. The exact pages and line numbers where the errors are shown correctly in the application file are:

- Page 1, of the Amendment After Allowance of May 12, 1999. The incorrect paragraph, a paragraph from a different application, is inserted after the heading "DEPOSITS".
- Page 2, of the Amendment After Allowance of May 12, 1999. Claims 1, 5, and 7 are amended with "203881" verses the correct accession number "203882".
- Pages 1-2, amended claim 7, of the Amendment and Request for Reconsideration of December 9, 1998. The amendment to claim 7 instructs to insert "of hybrid maize plant 36A43". In the patent claim 7 reads "of hybrid maize plant 36Y95".
- Page 41, claims 1, 5, and 7, of the Application filed March 6, 1998. Claims 1, 5, and 7, include the inbred designation "36A43". The patent incorrectly has the inbred designation typed as "36Y95".

3. The Applicant error is as follows. The column and line numbers where the error occurs in the patent are:

- Column 35, lines 21-25, of the issued patent. Claim 13 from a different patent was unintentionally added as a new claim via the Amendment and Request for Reconsideration of December 9, 1998. The description "high yield for grain, high yield for silage, very hard grain texture, good drydown behavior, good late season plant health, and is well suited to the Northcentral United States, Canada, Maritime and Central Europe." is incorrect and should be deleted. The following should be inserted, "high grain yield, above average stalk strength, excellent root lodging resistance, sound ear mold resistance, above average drought stress tolerance, and is

well suited to the Northwestern, Western, and Northcentral United States, and Canada." The basis by which this error can be identified as unintentional can be seen under the heading "DETAILED DESCRIPTION OF THE INVENTION". This is located in column 11 of the issued patent and also on page 15 of the application.

This error occurred in good faith. Correction thereof does not involve such changes in the patent as would constitute new matter or would require re-examination. A certificate of correction is therefore requested.

Please send the certificate to Heidi S. Nebel, Zarley, McKee, Thomte, Voorhees & Sease, 801 Grand Avenue, Suite 3200, Des Moines, Iowa 50309-2721, the attorney of record who acts on behalf of the assignee. The assignment was recorded on April 20, 1998 (Reel/Frame 9128/0736).

Please charge Deposit Account No. 16-1852 the sum of \$100.00 under the 37 C.F.R. § 1.20(a). Please charge any additional fees which may be required by this paper, or credit any over payment to the indicated Deposit Account.

Respectfully submitted,
Lori Lisa Carrigan



by Heidi S. Nebel, Reg. No. 37,719
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October 16, 2001

P03390US0

APPLICANT: CARRIGAN, LORI LISA

ISSUED: November 9, 1999

TITLE: HYBRID MAIZE PLANT & SEED 36A43

Please acknowledge receipt of the following:

- Request for Certificate of Correction of Patent
For PTO & Applicant Mistake
- Certificate of Correction (in duplicate)
- Check for \$100

LAA/kpa
